

m 1003/031

BONNEVILLE QUARRIES, INC.
842 West 400 North
West Bountiful, Utah 84087
Tel/Fax (801) 295-0601

FAX TRANSMISSION**RECEIVED**

JUN 23 2003

DIV. OF OIL, GAS & MINING

TO: U006M**INDIVIDUAL:** WAYNE HEDBERG**FROM:** Bill Bown**RE:** GROUSE CREEK
LETTER TO BLM, SALT LAKE**DATE:** 6-23-03**NO. PGS.:** 4**MESSAGE:**

I MAILED THIS LETTER CERTIFIED TO BLM SALT LAKE
FIELD OFFICE ON MON. JUNE 23, 2003. I WILL NOW
PROCEED WITH REMAINING ROAD CLOSURES, ETC. AS PER
THE EXISTING APPROVED PLAN. THANKS FOR YOUR HELP.

P.S. ALL UNAUTHORIZED STORED STONE AND DISABLED
VEHICLES HAVE BEEN REMOVED FROM GROUSE
CREEK AREA FEDERAL LANDS.

Bonneville Quarries, Inc.

Mr. Brad D. Palmer
USDI - BLM
Salt Lake Field Office
2370 South 2300 West
Salt Lake City, Utah 84119

June 23, 2003

RE: Grouse Creek Mountain L.M.O. Plan

Dear Mr. Palmer:

I will attempt once again to address your requests with reference to the subject Large Mine Plan which was submitted to UDOGM on 12/1/97 and forwarded to your office by UDOGM on 12/09/97. This Plan received tentative approval from UDOGM on 01/22/98 and final approval on 03/04/98. At the time of this submittal this Plan reflected exactly what the operator intended to do in the area. All obvious and potential surface disturbance was and is thus identified. Adequate bond was posted, and is presently held jointly by BLM and UDOGM and operations have resumed.

I do not understand your claim that the subject Plan is in some way inadequate. I am certain that you are aware that Plans of Operation can be and are amended from time to time. I am prepared to present you with many examples of amendments and/or revisions to Plans which have been approved by the federal government and other mining regulatory agencies. Once again, the Plan as submitted reflected the operator's intended processes at the time of it's submittal, and to the present those intents remain now as then. All pertinent environmental issues were then addressed. The operator reasoned that if at some point in the future, changes to the Plan became necessary, an amendment which would address such changes could then be submitted. The areas of disturbance as outlined in the original Plan chiefly reflect roads which are utilized for access to and from the area of operation. Access to the talus slides are also provided by the Plan roads. Slides are accessed at strategic points where the road(s) intersect them. This point should allay the concern of potential ancillary surface disturbance.

The original Plan as submitted does not call for operation/extraction in each and every single solitary talus slide on Federal Land within the Project Area. In fact the Plan made an obvious point of closing the entire south slide area and adjacent roads on an interim basis, the reclamation of which has been entirely

completed. Again, if it becomes necessary I will submit an amendment or revision which will reflect my intent to utilize every single solitary slide. Until then your office has no reason to concern itself with possibilities which are currently outside of, or not a part of the Plan as submitted. I do not wish to abandon my Plan as submitted and approved by UDOGM. On the basis of what exactly was proposed it is a good and adequate Plan. Good and adequate bond has been posted and is held jointly by BLM and UDOGM.

The situation at Grouse Creek is especially frustrating. Recently I proposed reclaiming over two (2) acres of access roads on federal land which are currently part of the UDOGM approved Plan in exchange for the right to construct a small spur road about 600 ft in length, that would result in less than 1/4 acre disturbance. I committed to finish all road closures as proposed in the original Plan, as well as the newly proposed over two (2) acre closure before constructing the subject spur. I had plenty of incentive to complete the work as this spur represents the only viable way into and out of a section of USITLA talus slides that I have rented for four years without being able to remove a single stone. The cost has been \$ 28,000.00. BLM response to my proposal was your letter of June 02, 2003. I guess an 8 for 1 reclamation/disturbance exchange was not attractive to your office. An interesting position for an office sworn to insure that unnecessary or undue degradation of the public land does not occur.

A new Plan is simply not necessary. I think that I have demonstrated this as fact in this letter. The original Plan as submitted which takes into consideration and addresses all proposed disturbance and for which reasonable bond has been posted and is held jointly by BLM and UDOGM is in it's present form an adequate Plan. Contrary to the language of the last paragraph on page 2 of your letter dated June 02, 2003, the simplest solution would be for your office to utilize MOU's which are currently in place, and also to act on directives included in the new regs at 43 CFR 3809 which call for the provision by BLM of "maximum possible coordination with appropriate State agencies....", and sign off on the Plan as submitted. That is the simplest and most just solution.

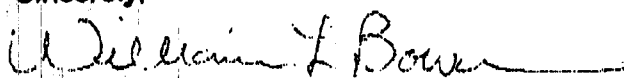
Your insistence on incorporating the entire series of talus slides on federal land into the Plan at it's initial point would appear to be nothing more than a bullying tactic designed to further frustrate the operator by attempting to delay further the process of approval, chiefly, it would seem, by creating the requirement for additional exorbitant and inflated reclamation sureties. The term "disturbance" as it has reference to mining or quarrying is defined as activities incident to the mining or quarrying process which cause the removal of preexisting surface and subsurface soils, and plants, as well as any profound change or alteration of the existing topography. Please let me know if yours is a different definition. By this definition there is no disturbance within the talus slides. There is nothing to restore or reclaim. Why is your office so intent on assigning disturbance within these slides when you don't have to? Your rear ends are covered are they not? It is confounding, absolutely unbelievable. Is there a vendetta? I can tell you that

all of the slides will eventually be utilized for stone removal, but not simultaneously. There is no disturbance within the slides, and entrance points are currently made where roads intersect or enter them. If this changes, for example, if a cross country route is deemed by the operator to be necessary at some point in the future, an amendment addressing such will be submitted for approval and additional bond where required will be posted. There is simply no viable reason for your office of BLM to continue to delay approval as to form of the Plan at issue. It doesn't matter whether there are 38.8 acres of talus or 38,000 acres of talus involved. The fact remains, that under the proposals of the current Plan as submitted, where there is no disturbance, there can be no reclamation, nor any requirement for reclamation. Where is the common sense? A simple solution is staring you in the face. Just sign off on the Plan.

There is an adequate Plan in place. There is an adequate bond in place, (keep in mind that this Project Area is comprised of multiple mineral interests including State and Private, not just Public). There is a current MOU in place. Bottom line is that there is no reason for your office to further delay approval as to form of this Plan, and subsequent final approval at the time prescribed and proposed reclamation is completed. I urge you to give this serious and prompt consideration. If you would approve the Plan, I could then propose certain amendments to the Plan which may then enable you to obtain the requirements you now seek.

What point is there in my completing reclamation as proposed in the Plan if that Plan is not recognized as adequate by your office. I am puzzled that on one hand you insist on my compliance with the Plan, and then you turn right around and almost in the same paragraph state that you do not recognize the Plan. Doesn't this seem somewhat odd to you. The inconsistency is unbelievable. Too bad the accountability in these issues only goes one way.

Sincerely,


William Bown

cc: Wayne Hedberg UDOGM
John Blake, USITLA